

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p>vs.</p> <p>Earl F. Schreiber and</p> <p>Adolph John Krasser, Jr.</p>	<p><i>For U. S.:</i> Nathan G. Graham Hubert H. Bryant Asst. U. S. Atty.</p> <p><i>For Defendant:</i> John Newberry 911 Boonville Street Springfield, Missouri Thomas G. Hanlon Pythian Bldg. Tulsa, Oklahoma</p>
Schreiber - Closed	
Krasser - Closed	

Schreiber - Closed

Krasser - Closed

STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 10-1-69	Clerk						
J.S. 3 mailed 10-31-69	Marshal						
Violation Firearms	Docket fee						
Title 26							
Sec. 5861(b) and 5871							

DATE	PROCEEDINGS
9-4-69	Record vote of the grand jury, filed in open court. b
9-4-69	Indictment, filed in open court. b
9-4-69	Personal bond of the defendant, Earl F. Schreiber, in the sum of \$2,500.00 (10% cash), filed. b
9-4-69	Order specifying methods and conditions of release, filed. b
9-4-69	Personal bond of the defendant, Adolph John Krasser, Jr., in the sum of \$2,500.00 (10% cash), filed.
9-4-69	Order specifying methods and conditions of release, filed. b
9-23-69	Minute Order: Case stricken from docket of this date and passed to Thursday, 9-25-69 at 10:00 A.M. for arraignment.(AEB-J)h
9-25-69	Defendants Earl F. Schreiber and Adolph John Krasser, Jr., each present in person and each represented by Counsel. Defendants each arraigned and defendant Earl F. Schreiber enters pleas of NOT GUILTY as to Cts. 1 thru 8. Defendant Adolph John Krasser, Jr. enters pleas of NOT GUILTY as to Cts. 1 thru 8, and case as to each defendant is set for Jury Trial on Monday, October 20, 1969 at 9:30AM.(AEB-J)h
10-3-69	Defts' motion for disclosure of matters occurring before the grand jury, motion to disclose witnesses of the govt. who will appear at the time of trial, motion for inspection, motion for severance and (OVER)

DATE	PROCEEDINGS
10-3-	motion to suppress, filed. m
10-3-69	Brief in support of above motions, filed. m
10-6-69	Motion to dismiss of defendants, filed. ds
10-6-69	Brief in support of motion to dismiss, filed. ds
10-14-69	Brief in Opposition of Motions for Disclosure of Grand Jury Minutes, Disclosure of Witnesses, Inspection of Records, for Severance, and to Suppress, filed. js
10-14-69	Brief in Oppositin of Motion To Dismiss, filed. js
10-15-69	Defendants not present and not represented. Court orders that hearing on motions be passed to Monday, 10-20-69, at 9:30 A.M., date of jury setting. (notices mailed certified.)h(AEB-J)h
10-20-69	Defendants Earl F. Schreiber and Adolph Krasser, Jr., each present in person and each represented. Defendants' motion for discovery of matters occurring before the grand jury overruled by the court. Motion to disclose witnesses of the government who will appear at the time of trial overruled. Motion for inspection moot; motion for severance withdrawn by defendants. Motion to suppress and motion to dismiss each pending, and case passed for further hearing on motions and jury trial on Tues. 10-21-69 at 10:00 A.M.(AEB-J)h
10-21-69	Ordered by the Court that the defendants' motion to suppress and motion to dismiss are each overruled and the case is assigned to Judge Daugherty for trial purposes. (Allen E. Barrow - Judge) b
10-21-69	Case tried to a jury of October 21 and 22, 1969. Counts 1, 2, 3, 4 and 5 dismissed as to Adolph John Krasser, Jr., Counts 1 and 2 dismissed as to Earl F. Schreiber. Jury returns with verdicts finding Adolph John Krasser, Jr., NOT GUILTY as to each of Counts 6, 7 and 8; and finding Earl F. Schreiber NOT GUILTY as to each of Counts 3, 4, 5, 6, 7 and 8. Verdicts ordered received, read and filed in open court. Jury discharged. Defendants each are discharged and their bonds exonerated. (Fred Daugherty-Judge) (LC-CSR) b
10-22-69	Verdict finding Earl F. Schreiber NOT GUILTY as to each of Counts 3, 4, 5, 6, 7 and 8, filed in open Court.
10-22-69	Verdict finding Adolph John Krasser, Jr., NOT GUILTY as to each of Counts 6, 7 and 8, filed in open Court.
10-22-69	Judgment as to Earl F. Schreiber filed in open Court. (Fred Daugherty- Judge)
10-22-69	Judgment as to Adolph John Krasser, Jr., filed. (Fred Daugherty - Judge)
10-22-69	Trial exhibits, filed. (Government's 1, 2 and 2-A, withdrawn)
2-17-69	Order of disbursement, filed; \$250.00 be disbursed to Schreiber and Thomas G. Hanlon; and \$250.00 be disbursed to Krasser, Jr., and Thomas G. Hanlon. (Fred Daugherty - Judge) b

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Benjamin B. Ballenger
(Name of commissioner)411 U. S. Court House, Tulsa, Okla.
(Address)COMMISSIONER'S
DOCKET No. 1 CASE No. 486
THE UNITED STATES
vs.Earl F. Schreiber (40)
and
Adolph John Krasser,
Jr., (34)Complaint filed on April 20, 1969, by Nolan E. Douglas
Official title Spec. Inv. A.T.&F charging violation of
United States Code, Title 26, Section 5861(b) on April 20,
1969, at Tulsa, Oklahoma in the
division of the Northern district of Oklahoma
as follows: they did possess firearms transferred to
them in vio. of the provisions of Chap. 53, T. 26
USC, in that they had in their possession a
machinegun and a mortar.

(Here insert brief summary of facts constituting offense charged)

FILED
17123
MAY - 7 1969

WARRANTS OR SUMMONS ISSUED:

Date April 20, 1969 Warrant/Summons for Earl F. Schreiber

to (name and title of officer) the United States Marshal or any other authorized officer:
Substance of return Earl F. Schreiber arrested at Tulsa, Okla., at 8:30 P.M. by
Nolan E. Douglas, Spec. Inv., A.T. & F.

Date April 20, 1969 Warrant/Summons for Adolph John Krasser, Jr.

to (name and title of officer) the United States Marshal or any other authorized officer:
Substance of return Adolph John Krasser, Jr. arrested at Tulsa, Okla., at 8:30
P. M. by Nolan E. Douglas, Spec. Inv., A. T. & F.

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date April 20, 1969 Arrested by Nolan E. Douglas
Spec. Inv. A.T.&F.{ on warrant of Ballenger
(Name of issuing officer)
without warrant.Appearances { for United States Hubert H. Bryant
(Name){ for accused
(Name)

(Address)

(Address)

Proceedings taken April 20, 1969 Accused, Earl F. Schreiber and Adolph John

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"

Krasser, Jr., each present in person and neither represented by counsel;

If arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

accused each advised as to counsel, each waive the representation by counsel

If that at this hearing, waivers of counsel signed; each advise as to the charge
and as to preliminary hearing. Each request preliminary hearing and it is
set for Thursday, April 24, 1969 at 4:00 P. M. Each state they will have
counsel. Bonds each fixed at \$2,500.00, 10% cash. Each post bond in the
amount of \$2,500.00 with 10% cash and released until preliminary. Orders
specifying methods of release issued.April 24, 1969 Preliminary hearing as to both defendants passed until May
1, 1969 at 2:00 P.M., for all parties convenience.

Outcome Released on bonds to report for preliminary 4-24-69 @ 4:00 P.M.

Bail fixed \$2,500.00 1969 Amount, \$2,500.00 Bonded April 20th 1969 by cash
deposited by (name) Earl F. Schreiber Address 3020 Lochlomond, Springfield, Mo.
transmitted to clerk of district court Adolph John Krasser, Jr. RFD #1, Box 262,
(name) Tulsa, Okla. April 20, 1969 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19.

SUBPOENAS FOR WITNESSES ISSUED:

....., 19....., for (name of witness).....
 at request of (name of party).....
 Substance of return.....

....., 19....., for (name of witness).....
 at request of (name of party).....
 Substance of return.....

....., 19....., for (name of witness).....
 at request of (name of party).....
 Substance of return.....

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date May 1, 1969 Appearances for

United States (Name) Hubert H. Bryant, Asst.
 (Address) U. S. Atty., Tulsa
 Accused (Name) John Newberry (for defendt
 (Address) 911 Boonville Street
Springfield, Mo.

WITNESSES FOR UNITED STATES: (List names and addresses)

Nolan E. Douglas,

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing..... names certified to United States Marshal for payment....., 19.....
 Proceedings taken May 1, 1969 @ 2:00 P. M. Defendants Earl F. Schreiber and
Adolph John Krasser, Jr., each present in person and each represented
 by John Newberry; government represented by Hubert H. Bryant.
 Government's witness, Nolan E. Douglas sworn and testified, government
 rested; the defendants were each advised as to their rights to present
 witnesses and each declined. The Commissioner finds that it appears
 that there is probable cause to believe that the offense so charged has
 been committed and that the defendants each committed it. Defendants,
Earl F. Schreiber and Adolph John Krasser, Jr., each released on their
 present bonds of \$2,500.00 each, and the release order heretofore made to
 stay in full force and effect. For Court Action.

Outcome Held for Court action, released on bonds

Bail fixed....., 19..... Amount, \$..... Bonded....., 19....., by cash
 deposited by (name)..... Address.....
 transmitted to clerk of district court....., 19.....
 [or] by surety (names)..... Address.....
 and..... Address.....
 who justified by affidavit....., 19..... Committed to.....
 on....., 19.....

Certified to be a correct transcript.

Made this 7th day of May, 19 69

Transmitted to Clerk of United States District Court for the Northern
 district of Oklahoma May 7th, 19 69

Benjamin B. Ballenger

United States Commissioner.